

# SENATE BILL 28

G1

(0lr0680)

## ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by **Senators Lenett and Raskin**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Election Law—Voter Qualifications—Honorable Lorraine M. Sheehan Act to~~  
3 Protect Voting Rights for Individuals Under Guardianship for Mental  
4 Disability

5 FOR the purpose of ~~repealing the disqualification of individuals under guardianship~~  
6 ~~for mental disability from voting;~~ providing that an individual under  
7 guardianship for mental disability is not qualified to be a registered voter if a  
8 certain court has made a certain finding concerning the individual's desire to  
9 participate in the voting process; and generally relating to voter qualifications.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 3–102  
13 Annotated Code of Maryland  
14 (2003 Volume and 2009 Supplement)

---

#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Election Law**

4 3–102.

5 (a) Except as provided in subsection (b) of this section, an individual may  
6 become registered to vote if the individual:

7 (1) is a citizen of the United States;

8 (2) is at least 18 years old or will be 18 years old on or before the day  
9 of the next succeeding general or special election;

10 (3) is a resident of the State as of the day the individual seeks to  
11 register; and

12 (4) registers pursuant to this title.

13 (b) An individual is not qualified to be a registered voter if the individual:

14 (1) has been convicted of a felony and is actually serving a  
15 court-ordered sentence of imprisonment, including any term of parole or probation, for  
16 the conviction; ~~OR~~

17 (2) ~~is~~ is under guardianship for mental disability AND A COURT OF  
18 COMPETENT JURISDICTION HAS SPECIFICALLY FOUND BY CLEAR AND  
19 CONVINCING EVIDENCE THAT THE INDIVIDUAL CANNOT COMMUNICATE, WITH  
20 OR WITHOUT ACCOMMODATIONS, A DESIRE TO PARTICIPATE IN THE VOTING  
21 PROCESS; or

22 (3)~~†~~ has been convicted of buying or selling votes.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 ~~October~~ ~~July~~ June 1, 2010.